

Today, I ask my colleagues to join me in honoring Dr. Francisco Osvaldo Cortina for his outstanding career as a physician, which has spanned multiple decades, cities and countries. His contributions throughout the years have affected the lives of many, and the wisdom he has passed on to his children will no doubt continue to help the New Jersey medical community in the years to come.

CONGRATULATING AIR NEW
ZEALAND

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Ms. DUNN. Mr. Speaker, on behalf of the U.S. Congress, Mr. INSLEE, Mr. BAIRD, Mr. NETHERCUTT, Mr. SMITH of Washington, Mr. DICKS, Mr. LARSEN of Washington, Mr. HASTINGS of Washington, Mr. McDERMOTT, and myself, congratulate Air New Zealand for its recent decision to upgrade its wide-body fleet by placing an order with The Boeing Company for eight 777-200ERs and two 7E7s, Boeing's newest airplane. Air New Zealand's order of the Boeing 7E7 makes it the second official customer for this revolutionary new aircraft.

This decision clearly demonstrates Air New Zealand's commitment to the world's best technology and long-term view of the airline's place in commercial aviation. It is with great pride and gratitude that we applaud Air New Zealand's purchase of American-manufactured aircraft.

RECOGNIZING THE SELECTION OF
DALE GLYNN AS MICHIGAN HIGH
SCHOOL PRINCIPAL OF THE
YEAR

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize Dale Glynn of Everett High School in Lansing, Michigan for being named Michigan High School Principal of the Year. Mr. Glynn was presented with this honor by the Michigan Association of Secondary School Principals on September 27, 2004.

During his tenure as Principal, Dale Glynn has striven to provide his students with access to the best education by developing rewarding after school programs and creating an environment of inclusiveness for all of the students at Everett High School. Mr. Glynn has been honored by his peers and is loved by his students because of his steadfast commitment and determination to provide his urban school the same access to quality education as suburban counterparts.

Mr. Speaker, providing quality public education to all our nation's students has been a top priority of this Congress. Educators like Dale Glynn who make tremendous strides to providing high caliber education to all students must be recognized and commended. I ask my colleagues to join me in recognizing Dale Glynn for being named Michigan High School Principal of the Year.

CONSTITUTION WEEK AND CIVIC
EDUCATORS

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. HULSHOF. Mr. Speaker, the Constitution states: "This great nation of ours was founded in order to form a more perfect Union, establish Justice, insure domestic tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

These words echo the principles that have served our nation well for the past 228 years. It is of paramount importance that today's youth have a firm grasp of the principles and ideals outlined in this hallowed document.

Mr. Speaker, as you may know, President Bush declared September 17th through September 23rd Constitution Week to commemorate the September 17, 1787 signing of the Constitution. I rise today to recognize Constitution Week and to honor civic education leaders and programs that have played an integral role in educating Missouri's youth about the Constitution.

One exemplary program worthy of particular praise is We the People: the Citizen and Constitution. This program educates students in junior high and high school on the merits of a Constitutional democracy and discusses the material in a manner that provides relevance to the students and creates a model for student civic life.

I want to draw particular praise for Millie Aulbur, who is the Director of Law-Related Education for the Missouri Bar. She has been a pillar in the civic education community, and her diligent work and strong leadership have vastly improved civic education programs in my home state. Likewise, she has been extremely effective in raising awareness of this issue with Missouri's Congressional delegation. Millie has recently succeeded in establishing a coalition of civic education leaders, known as the Advisory Committee for Civic Education of the Missouri Bar. I have known Millie since before coming to Congress, having served with her in the Missouri Attorney General office. I can say unequivocally that she is one of the finest and hard-working individuals I know. Her commitment to civic education and Missouri's youth is highly commendable.

Without these civic education programs and leaders, we run the risk that future generations of Americans will lack knowledge of the document upon which our democracy is based. Millie Aulbur's efforts set a fine example, and I urge my colleagues to learn more about civic education programs in their Congressional districts and to assist these valued civic educators in this noble endeavor.

PIRACY DETERRENCE AND
EDUCATION ACT OF 2004

SPEECH OF

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2004

Mr. SMITH of Texas. Mr. Speaker, I wish to offer some additional information and guidance on several sections of H.R. 4077.

Section 12 of H.R. 4077 is called the "Family Movie Act of 2004." The Committee has made changes to the Committee reported language to better enable the provision to achieve its purpose: to empower people to use technology to skip and mute material that they find objectionable in movies, without impacting established doctrines of copyright or trademark law or those whose business model depends upon advertising. This amendment to the law should be narrowly construed to affect its intended purpose only. The sponsors of the legislation have been careful to tailor narrowly the legislation to clearly allow specific, consumer-directed activity and not to open or decide collateral issues or to affect any other potential or actual disputes in the law.

The substitute amendment we offer today makes clear that, under certain conditions, "making imperceptible" of limited portions of audio or video content of a motion picture—that is, skipping and muting limited portions of movies without adding any content—as well as the creation or provision of a computer program or other technology that enables such making imperceptible, does not violate existing copyright or trademark laws. That is true whether the movie is on prerecorded media, like a DVD, or is transmitted to the home, as through services like "video-on-demand."

The core provision of the Family Movie Act lies in Section 2, which creates a new exemption at section 110(11) of the Copyright Act. This new exemption sets forth a number of conditions to ensure that it achieves its intended effect while remaining carefully circumscribed and avoiding any unintended consequences. The conditions that allow an exemption, which I will discuss in more detail in a moment, consist of the following:

The making imperceptible must be "by or at the direction of a member of a private household." This legislation contemplates that any altered performances of the motion picture would be made either directly by the viewer or at the direction of a viewer where the viewer is exercising substantial choice over the types of content they choose to skip or mute.

The making imperceptible must occur "during a performance in or transmitted to the household for private home viewing." Thus, this provision does not exempt an unauthorized "public performance" of an altered version.

The making imperceptible must be "from an authorized copy of a motion picture." Thus, skipping and muting from an unauthorized, or "bootleg" copy of a motion picture would not be exempt.

No "fixed copy" of the altered version of the motion picture may be created by the computer program or other technology that makes imperceptible portions of the audio or video content of the motion picture. This provision makes clear that services or technologies that make a fixed copy of the altered version are not afforded the benefit of this exemption.

No changes, deletions or additions may be made by the computer program or other technology to commercial advertisements, or to network or station promotional announcements, that would otherwise be performed or displayed before, during, or after the performance of the motion picture. This requirement makes plain that devices or services that provide for automated "ad-skipping" do not fall within the scope of this exemption.